

## **MINUTES**

### **MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON LOCAL GOVERNMENT**

**Call to Order:** By **CHAIRMAN KIM GILLAN**, on February 1, 2007 at 3:04 P.M., in Room 335 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Sen. Kim Gillan, Chairman (D)  
Sen. Bob Hawks (D)  
Sen. Rick Laible (R)  
Sen. Lynda Moss (D)  
Sen. Terry Murphy (R)  
Sen. Jerry O'Neil (R)  
Sen. Mitch Tropila (D)

##### **Members Excused:**

Sen. John Esp (R)  
Sen. Kelly Gebhardt (R)  
Sen. Carol C. Juneau (D)  
Sen. Carol Williams (D)

**Members Absent:** None.

**Staff Present:** Leanne Heisel, Legislative Branch  
Marigail Schreiner, Committee Secretary

**Audio Committees:** These minutes are in outline form only.  
They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted:	SB 130, SB 147, SB 261, 1/23/2007
Executive Action:	SB 261, SB 320, SB 199, SB 33, SB 244, SB 245

00:00:07 Opening comments by Chairman Gillan.

**HEARING ON SB 130**

**Opening Statement by Sponsor:**

00:00:49 **SEN. BOB STORY (R), SD 30**, opened the hearing on **SB 130**, Revise laws governing governmental fire agencies.

**Proponents' Testimony:**

00:03:35 Jim Kembel, American Institute of Architects, Montana Chapter

00:04:02 Sen. Juneau arrived

00:05:11 Harold Blattie, Executive Director, Montana Association of Counties

00:06:20 Sen. Gebhardt arrived

**Opponents' Testimony:**

00:06:34 Steve Larson, Fire Chief, City of Helena

**EXHIBIT(1os22a01)**

00:07:25 Sen. Esp arrived

00:08:40 Alec Hansen, League of Cities

00:09:29 Marv Jochems, Fire Chief, Billings

**EXHIBIT(1os22a02)**

**EXHIBIT(1os22a03)**

00:11:25 Randy Brodehl, Fire Chief, Kalispell

**EXHIBIT(1os22a04)**

00:12:09 Frank Odermann, Fire Chief, Billings

00:12:52 Dick Van Auken, Fire Chief, Teton County

**Informational Testimony:**

00:14:58 Tim Lloyd, Business Standards Division, Department of Labor and Industry

00:15:24 Rick DeMarinis, Engineer, CTA Architects and Engineers

**EXHIBIT(los22a05)**

**Questions from Committee Members and Responses:**

00:18:56 Sen. Laible to Rick DeMarinis

00:21:17 Sen. Laible to Tim Lloyd

00:24:00 Sen. Hawks to Marv Jochems

00:26:39 Sen. Tropila to Sen. Story

00:28:21 Sen. Laible to Chief Van Auken

00:29:52 Sen. Laible to Tim Lloyd

00:30:45 Sen. Laible to Harold Blattie

**Closing by Sponsor:**

00:32:15 Sen. Story

**HEARING ON SB 147**

**Opening Statement by Sponsor:**

00:33:56 **SEN. JIM SHOCKLEY (R) , SD 45**, opened the hearing on **SB 147**, Authorize restrictions on fire hazard area activities.

**Proponents' Testimony:**

00:36:53 Ted Mead, Chief of Fire Aviation, DNRC

00:40:01 Harold Blattie, Executive Director, Montana Association of Counties

00:42:46 Mike Pichette, NorthWestern Energy

**EXHIBIT(los22a06)**

**EXHIBIT(los22a07)**

**Opponents' Testimony:**

00:43:32 None

**Informational Testimony:**

00:43:42 None

**Questions from Committee Members and Responses:**

00:43:49 Chairman Gillan to Sen. Shockley

**Closing by Sponsor:**

00:44:33 Sen. Shockley

**HEARING ON SB 261**

**Opening Statement by Sponsor:**

00:45:51 **SEN. DAVE LEWIS (R), SD 42**, opened the hearing on **SB 261**, Revise funding for county junk vehicle budgets.

**Proponents' Testimony:**

00:47:50 Carl Seilstad, Chairman, Fergus County Commissioner

00:48:52 Dave Fowler, Director, Gallatin County Junk Vehicle Program

00:49:22 Sen. Laible left

00:50:41 Jim Carlson, Director, Environmental Health Missoula County

00:52:08 John Ostlund, Yellowstone County Commissioner

00:52:45 Bruce Arthur, Program Director, Central Montana Health Program

**Opponents' Testimony:**

00:53:51 None

**Informational Testimony:**

00:53:54 Ed Thamke, Department of Environmental Quality

**Questions from Committee Members and Responses:**

00:54:12 Sen. Gebhardt to Ed Thamke

00:54:52 Chairman Gillan to Ed Thamke

**Closing by Sponsor:**

00:56:20 Sen. Lewis

**EXECUTIVE ACTION ON SB 261**

00:57:25 **Motion/Vote:** SEN. ESP moved that SB 261 DO PASS.  
Motion carried unanimously by voice vote.

00:58:26 Vice Chairman Moss assumed the chair

**EXECUTIVE ACTION ON SB 320**

00:58:53 **Motion:** SEN. GILLAN moved that SB 320 DO PASS.

**EXHIBIT**(los22a08)

00:59:44 **Motion:** SEN. GILLAN moved that SB 320 BE AMENDED.

**Discussion:**

01:10:00 Sen. Gillan

01:01:02 Sen. Murphy

01:01:31 Leanne Heisel

01:01:56 Sen. Murphy to Sen. Gillan

01:02:36 Sen. Esp

01:03:33 Sen. Gillan

01:04:19 Sen. Tropila to Sen. Esp

01:04:39 Sen. O'Neil to Sen. Esp

01:05:20 **Vote:** Motion carried 9-1 by voice vote with SEN.  
O'NEIL voting no. SEN. WILLIAMS voted aye by proxy.

01:05:50 **Motion:** SEN. GILLAN moved that SB 320 DO PASS AS AMENDED.

**Discussion:**

01:06:20 Sen. Hawks

01:07:15 Sen. Murphy

01:08:04 Sen. Tropila

01:09:18 Sen. Esp

01:10:08 Vice Chair Moss

**EXHIBIT**(los22a09)

01:13:01 Sen. Laible returned

01:15:51 Sen. Hawks

01:16:41 Sen. Gillan

01:16:48 **Vote:** Motion carried 7-4 by roll call vote with SEN. ESP, SEN. MURPHY, SEN. O'NEIL, and SEN. TROPILA voting no. SEN. WILLIAMS voted aye by proxy.

**EXECUTIVE ACTION ON SB 199**

01:20:17 **Motion:** SEN. ESP moved that SB 199 DO PASS.

**Discussion:**

01:20:48 Sen. Hawks to Alec Hansen, League of Cities and Towns

01:22:39 Sen. Juneau to Sen. Esp

01:23:49 Sen. Tropila to Sen. Hawks

01:25:46 Sen. O'Neil

01:26:58 Sen. Gebhardt

01:27:31 **Motion/Vote:** SEN. MOSS moved that SB 199 BE TABLED. Motion carried 7-4 by roll call vote with SEN. ESP, SEN. GEBHARDT, SEN. MURPHY, and SEN. O'NEIL voting no. SEN. WILLIAMS voted aye by proxy.

**EXECUTIVE ACTION ON SB 33**

01:28:48 **Motion:** SEN. ESP moved that SB 33 DO PASS.

**EXHIBIT**(los22a10)

01:29:19 **Motion:** SEN. ESP moved that SB 33 BE AMENDED.

**Discussion:**

01:29:57 Chairman Gillan to Sen. Esp

01:30:08 Leanne Heisel

01:31:18 Sen. Gebhardt to Harold Blattie

01:33:42 **Vote:** Motion carried unanimously by voice vote with SEN. HAWKS, SEN. TROPILA and SEN. WILLIAMS voting aye by proxy.

01:34:03 **Motion:** SEN. ESP moved that SB 33 DO PASS AS AMENDED with SEN. HAWKS, SEN. TROPILA and SEN. WILLIAMS voting aye by proxy.

**EXECUTIVE ACTION ON SB 244**

01:35:26 **Motion:** SEN. ESP moved that SB 244 DO PASS.

**EXHIBIT**(los22a11)

01:36:10 **Motion:** SEN. LAIBLE moved that SB 244 BE AMENDED.

**Discussion:**

01:39:03 Sen. Esp

01:39:37 Sen. Gebhardt

01:40:26 Sen. Laible

01:42:12 Chairman Gillan to Sen. Laible

01:43:06 Sen. Gebhardt

01:43:17 Sen. O'Neil

01:43:46 **Vote:** Motion carried unanimously.

01:44:01 **Motion/Vote:** SEN. ESP moved that SB 244 DO PASS AS AMENDED. Motion carried 9-2 by voice vote with SEN. GEBHARDT and SEN. O'NEIL voting no. SEN. WILLIAMS voted aye by proxy.

**EXECUTIVE ACTION ON SB 245**

01:44:38 Discussion

01:45:13 Harold Blattie

01:46:04 Sen. Gebhardt to Harold Blattie

01:46:51 **Motion/Vote:** SEN. GEBHARDT moved that SB 245 DO PASS. Motion carried unanimously by voice vote. SEN. WILLIAMS voted aye by proxy.



**ADJOURNMENT**

Adjournment: 4:55 P.M.

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SEN. KIM GILLAN, Chairman

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MARIGAIL SCHREINER, Secretary

KG/ms